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TYCO 18013 (AT 20958-43)
PATENT**Remarks**

The Office Action mailed May 27, 2005 has been carefully reviewed and the following remarks are made in consequence thereof.

Claims 1-20 are now pending in this application. It is respectfully submitted that the pending claims define allowable subject matter.

The rejection of Claims 1 and 3-9 under 35 U.S.C. § 102(e) as being unpatentable over Wiekhorst et al. (U.S. Patent Application Publication 2004/0055779) is respectfully traversed.

Wiekhorst et al. disclose, in relation to Figure 6, an insulated core element (54) surrounded by a channeled jacket (56). Wiekhorst et al. disclose many advantages of the channeled jacket, including minimizing the dielectric constant of the wire, reducing skin effects in signal transmission, reducing dissipation factors that affect signal speed and strength, providing crush strength, reduced manufacturing and material costs, and fire prevention. *See* Wiekhorst et al. paragraphs [0060] to [0063]. Notably, however, Wiekhorst et al. nowhere disclose, suggest, or recognize the problem addressed by the present invention, namely preventing relative movement of a cable jacket with respect to a core and preserve headroom of the cable without introducing additional cost and complexity to the cable which may impair its flexibility.

Furthermore, the embodiment illustrated in Figure 6 of Wiekhorst et al. includes no structure that would prevent relative movement of the cable jacket (56) with respect to the core element (54). The core element (54) shown in Figure 6 has a smooth and continuous outer surface, and the inner surface of the channeled jacket (56) that contacts the core element (54) is also smooth and continuous. Nothing in the contact surfaces would prevent one surface from sliding with respect to the other, and negatively affecting cable performance in the manner described in the present specification.

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Also, and as shown in Figure 6 of Wiekhorst et al., the contact surface of the channeled jacket (56) with the core element (54) is quite small. Wiekhorst et al. describe that it is desirable to minimize the area that the legs of the channeled jacket occupy on the core element. *See* Wiekhorst et al. paragraph [0062]. The minimal area of contact between the channeled jacket and the core element would no doubt increase, rather than decrease, a tendency of the cable jacket and core to move with respect to one another as the cable is handled. The construction of the Wiekhorst et al. cable is therefore respectfully submitted to not only fail to prevent relative movement of the cable jacket and core, but to promote relative movement of the cable jacket and core in use. That is, the Wiekhorst et al. cable provides enhanced freedom of movement between the core element and the jacket, and therefore produces the complete opposite effect of the present invention that prevents such movement.

Claim 1 recites a cable comprising "a cylindrical core comprising at least one twisted pair of insulated wires," and "a jacket surrounding said core, said jacket comprising at least one spline projecting inward from an inner surface of said jacket, wherein at least a portion of said twisted pair is positioned between said spline and a center of said core, thereby preventing relative movement of said jacket with respect to said core."

For the reasons set forth above, Wiekhorst et al. clearly does not anticipate claim 1.

Claims 3-9 depend from claim 1, and when the recitations of claims 3-9 are considered in combination with the recitations of claim 1, claims 3-9 are likewise submitted to be patentable over Wiekhorst et al.

For the reasons set forth above, Applicants respectfully request that the Section 102(e) rejection of Claims 1 and 3-9 be withdrawn.

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The rejection of Claims 2 and 10-20 under 35 U.S.C. § 102(e) as being unpatentable over Wiekhorst et al. in view of Koyasu et al. (U.S. Patent Application Publication 2003/0205402) is respectfully traversed.

Claim 2 depends from claim 1, which is submitted to be patentable over Wiekhorst et al. for the reasons set forth above. Koyasu et al. is respectfully submitted to add nothing to the teaching of Wiekhorst et al. with respect to the instant invention.

Koyasu et al., like Wiekhorst et al., do not recognize the particular problem toward which the present invention is directed, namely preventing relative movement of the cable jacket with respect to the core and preserve headroom of the cable without introducing additional cost and complexity to the cable which may impair its flexibility. Moreover, it has been acknowledged repeatedly in previous Office Actions that Koyasu does not disclose the spline as recited in claim 1.

Thus, neither Wiekhorst et al. or Koyasu et al., considered separately or in combination, recognize the particular problems addressed by the present invention or describe or suggest any structure that would overcome these problems. Consequently it is respectfully submitted that the combination of teachings does not render the instant claims obvious.

Claim 1 is therefore submitted to be patentable over Wiekhorst et al. in view of Koyasu et al., and when the recitations of claim 2 are considered in combination with the recitations of claim 1, claim 2 is likewise submitted to be patentable over Wiekhorst et al. in view of Koyasu et al.

Claim 10 recites a cable comprising "a core comprising a central core filler and a plurality of twisted pairs of insulated wires extending about said core filler" and "a jacket surrounding said core, said jacket comprising a round inner surface and at least one spline projecting inward from said inner surface, wherein said at least one spline is adapted to prevent

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relative movement of said jacket and core without separating one of said plurality of twisted pairs from another of said plurality of twisted pairs.”

For the reasons set forth above, Wiekhorst et al. and Koyasu et al., considered separately or in combination, fail to describe or suggest the structure and function of the cable recited in claim 10.

Claim 10 is accordingly submitted to be patentable over Wiekhorst et al. in view of Koyasu et al.

Claims 11-18 depend from claim 10, and when the recitations of claims 11-18 are considered in combination with the recitations of claim 10, Applicants submit that claims 11-18 are likewise patentable over Wiekhorst et al. in view of Koyasu et al.

Claim 19 recites a cable comprising “a round core comprising a central core filler and a plurality of twisted pairs of insulated wires extending about said core filler” and “a round jacket surrounding said core, said jacket comprising an inner surface and a plurality of splines projecting inward from said inner surface, wherein said plurality of splines are adapted to prevent relative movement of said jacket and core without separating said plurality of twisted pairs from one another.”

Neither of Wiekhorst et al. or Koyasu et al., considered separately or in combination, describe or suggest a cable having a jacket comprising an inner surface and a plurality of splines projecting inward from the inner surface, wherein the plurality of splines are adapted to prevent relative movement of the jacket and core without separating the plurality of twisted pairs from one another. Claim 19 is therefore submitted to be patentable over Wiekhorst et al. in view of Koyasu et al.

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Claim 20 depends from claim 19, and when the recitations of claim 20 are considered in combination with the recitations of claim 19, claim 20 is likewise submitted to be patentable over Koyasu et al. in view of Clark.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of claims 2 and 10-20 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Bruce T. Atkins
Registration No. 43,476
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070